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ACTION ARA-01

INFO	LOG-00	ACDA-10	ACDE-00	AID-00	AMAD-01	CIAE-00	OASY-00
	DODE-00	SRPP-00	EB-00	UTED-00	H-01	TEDE-00	INR-00
	IO-00	LAB-01	L-01	ADS-00	NSAE-00	NSCE-00	OIC-02
	PRS-00	P-00	SP-00	SS-00	STR-00	TRSE-00	USIE-00
	PRM-10	PRME-01	DRL-09	G-00	/037W		

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R 221902Z OCT 96
FM AMEMBASSY CARACAS
TO SECSTATE WASHDC 4348
INFO USMISSION GENEVA
AMEMBASSY LA PAZ
AMEMBASSY BRASILIA
AMEMBASSY BOGOTA
AMEMBASSY QUITO
AMEMBASSY LIMA

UNCLAS SECTION 01 OF 02 CARACAS 004043

E.O. 12958: N/A
TAGS: PHUM, VE
SUBJECT: ADVANCING THE HUMAN RIGHTS AGENDA IN VENEZUELA

SUMMARY

1. OFFICIAL IMPUNITY, DOUBLE-TALK, AND A CORRUPT AND INEFFICIENT
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JUDICIAL SYSTEM ARE THE GREATEST IMPEDIMENTS TO ADVANCING HUMAN

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RIGHTS IN VENEZUELA, ACCORDING TO REPRESENTATIVES OF THREE OF THIS COUNTRY'S MOST ACTIVE HUMAN RIGHTS ORGANIZATIONS. DURING AN OCTOBER 12 ROUNDTABLE MEETING, THESE REPRESENTATIVES COMPLAINED THAT THEIR AGENDA IS ONLY DIMLY UNDERSTOOD BY GOVERNMENT OFFICIALS AND THE MEDIA, WHICH STILL VIEW HUMAN RIGHTS ACTIVISTS AS INTENT ON SULLYING VENEZUELA'S GOOD NAME, OR PROTECTING CRIMINALS FROM JUST RETRIBUTION. THE ACTIVISTS ARE GRATEFUL FOR THE POLITICAL SUPPORT PROVIDED BY THE USG AND INTERNATIONAL HUMAN RIGHTS GROUPS, AND URGED THAT WE FOCUS ATTENTION ON JUDICIAL REFORM AS THE KEY TO CLEANING UP A NOTORIOUS CRIMINAL JUSTICE SYSTEM. END SUMMARY.

HUMAN RIGHTS ROUNDTABLE

2. WE HELD A HUMAN RIGHTS ROUNDTABLE MEETING AT THE EMBASSY OCTOBER 12, INVITING THREE OF VENEZUELA'S MOST PROMINENT AND EFFECTIVE HUMAN RIGHTS NGOS. THE GROUPS AND THEIR REPRESENTATIVES WERE:

-- RED DE APOYO POR LA JUSTICIA Y LA PAZ (JUSTICE AND PEACE SUPPORT NETWORK), JUAN NAVARETTE, DIRECTOR;

-- COMITE FAMILIA Y VICTIMAS (COFAVIC) (FAMILY AND VICTIMS COMMITTEE), LAURENCE QUIJADA, LEGAL ADVISER;

-- CENTROS COMUNITARIOS DE APRENDIZAJE (CECODAP) (COMMUNITY LEARNING CENTERS), FERNANDO PEREIRA, GENERAL COORDINATOR

3. PARTICIPATING ON THE U.S. SIDE WERE:
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-- FRANCISCO PALMIERI, VISITING VENEZUELA DESK OFFICER;

-- FRED KAPLAN, POLITICAL OFFICER

-- VICTORIA ALVARADO, CONSULAR OFFICER

-- THOMAS SHANNON, POLITICAL COUNSELOR

4. THE THREE PARTICIPATING HUMAN RIGHTS ORGANIZATIONS REPRESENT A

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SIGNIFICANT AND DYNAMIC SEGMENT OF VENEZUELAN CIVIL SOCIETY. ALL THREE RECEIVE ALL OR NEARLY ALL THEIR FUNDING FROM INTERNATIONAL SOURCES SUCH AS UNICEF, THE EUROPEAN UNION (EU), EUROPEAN EMBASSIES SUCH AS DUTCH, BRITISH, GERMAN, NORDIC (AMONG NON-EUROPEAN THE CANADIAN), AND EUROPEAN CHURCHES, BOTH CATHOLIC AND PROTESTANT. THEY WILL NOT TAKE MONEY FROM POLITICAL PARTIES, ORGANIZATIONS AFFILIATED WITH PARTIES, OR THE GOVERNMENT OF VENEZUELA.

5. THE THREE REPRESENTATIVES OF THESE ORGANIZATIONS ALL GRADUATED FROM PRESTIGIOUS VENEZUELAN LAW SCHOOLS, AND ALL BECAME INVOLVED IN HUMAN RIGHTS ISSUES THROUGH "CLINICAS JUDICIALES" OR FREE LEGAL AID SERVICES WHILE THEY WERE UNIVERSITY STUDENTS. ALL THREE BELIEVE THAT WHILE THEIR ORGANIZATIONS HAVE MADE SOME INROADS INTO DEVELOPING COMMUNICATIONS WITH GOV ENTITIES, MOST AUTHORITIES REGARD THEIR ORGANIZATIONS AS CRUSADERS FOR CRIMINAL ELEMENTS RATHER THAN LOBBYISTS FOR BASIC HUMAN RIGHTS OF ALL RESIDENTS IN VENEZUELA.

LA RED

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6. THE LARGEST AND THE MOST ESTABLISHED OF THE THREE ORGANIZATIONS, LA RED WAS FORMED IN 1985 TO PROVIDE ORGANIZATION AND SUPPORT TO FAMILIES LIVING IN THE CARACAS SLUM OF CATIA AFTER FLOODING LEFT MANY FAMILIES HOMELESS. LA RED INITIALLY WAS A LOOSE-KNIT ORGANIZATION OF COMMUNITY LEADERS, MEMBERS OF THE COMMISSION ON HUMAN RIGHTS, AND CATHOLIC MARYKNOLL MISSIONARIES FROM THE CATHOLIC MARYKNOLL GROUP. ONGOING CONFLICT BETWEEN BARRIO RESIDENTS AND POLICE, INCLUDING THE SHOOTING DEATH OF A BARRIO YOUTH, PUSHED LA RED INTO HUMAN RIGHTS WORK.

7. JUAN NAVARETTE PROPELS LA RED. HE DEMONSTRATES A CLEAR SENSE OF MISSION AND A SOLID GRASP OF HR ISSUES. WITH HEADQUARTERS IN CARACAS AND BRANCHES IN SEVERAL MAJOR CITIES, LA RED FOCUSES ON EDUCATION AND LEGAL OUTREACH, AND THE PHYSICAL, PSYCHOLOGICAL, AND SOCIAL REHABILITATION OF TORTURE VICTIMS. ONE HUNDRED FIFTY VOLUNTEERS CONTRIBUTE TO LA RED'S EFFORTS THROUGHOUT THE COUNTRY. LA RED OFFERS A SIX-MONTH TRAINING PROGRAM FOR COMMUNITY ACTIVISTS.

8. ACCORDING TO NAVARETTE, ONE OF LA RED'S BIGGEST CHALLENGES IS

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TO CONVINCE TORTURE VICTIMS TO TALK ABOUT THEIR EXPERIENCES. FEAR PREVENTS VICTIMS FROM DENOUNCING THEIR TORMENTORS. LA RED STRIVES TO BUILD TRUST THROUGH REHABILITATION, AND SUBSEQUENTLY TO

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ENCOURAGE VICTIMS TO SUBMIT COMPLAINTS. NAVARETTE CLAIMS THAT TORTURE IN VENEZUELAN JAILS AND DETENTION CENTERS IS ENDEMIC. THE SYSTEM OPERATES UNDER THE PREMISE THAT ONE'S PERSONAL FREEDOMS ARE DETAINED WITH THE DETAINED; OFFICIALS DETAIN FIRST AND TRY TO MAKE A CASE SECOND, RATHER THAN INVESTIGATING FIRST AND DETAINING, IF

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MERITED, LATER. CONFESSIONS ARE THE MOST EFFECTIVE WAY TO PROVE A CASE, AND TORTURE IS A TOOL TO REACH THAT END, SAID NAVARETTE.

COFAVIC

9. COFAVIC GREW OUT OF THE 1989 POPULAR UPRISING OR "CARACAZO." WITH A VERY FOCUSED, DYNAMIC, AND COMMITTED LEADERSHIP, COFAVIC HAS 12 EMPLOYEES PLUS A SMALL BUT GROWING CORPS OF VOLUNTEERS. EMERGING OUT OF THE PRESSING NEED TO ASSIST CARACAZO VICTIMS AND THEIR SURVIVING FAMILY MEMBERS, COFAVIC REPRESENTS FAMILIES WHICH WANT TO PRESS CIVIL AND CRIMINAL CHARGES AGAINST THE GOVERNMENT AND THE SECURITY FORCES FOR ACTIONS DURING THE 1989 UPRISING WHICH LEFT NEARLY 400 DEAD. COFAVIC LAWYER LAURENCE QUIJADA SAID COFAVIC HAS PRESENTED MORE THAN FORTY CASES FOR JUDICIAL REVIEW. COFAVIC ALSO DEDICATES ITS EFFORTS TO HUMAN RIGHTS INFORMATION GATHERING. ITS CENTRO DE DOCUMENTACION PUBLISHES A VARIETY OF HR INTEREST MATERIALS FOR PUBLIC CONSUMPTION. A CENTERPIECE OF COFAVIC EFFORTS IS ITS HUMAN RIGHTS SENSITIZATION PROGRAM FOR PRISON OFFICIALS, INCLUDING GUARDS. LIKE THE OTHER TWO NGO'S, COFAVIC RECEIVES MOST OF ITS FINANCIAL SUPPORT FROM EUROPEAN SOURCES.

CECODAP

10. PRIMARILY FOCUSED ON CHILDREN'S RIGHTS ISSUES, CECODAP WAS FOUNDED IN 1986. ALSO LEAN, CECODAP EMPLOYS ABOUT A DOZEN PROFESSIONALS AND RELIES HEAVILY ON ITS VOLUNTEER CORPS. PEREIRA

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COMMENTED THAT CECODAP TENDS NOT TO WORK CLOSELY WITH NEIGHBORHOOD
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ASSOCIATION LEADERS BECAUSE THESE ASSOCIATIONS USUALLY RUN ON
POLITICAL PARTY AGENDAS. CECODAP PREFERS TO WORK HAND-IN-HAND WITH
UNICEF. AS AN INDICATION OF THE LOW, AT TIMES PARIAH, STATUS OF
CHILDREN'S RIGHTS GROUPS IN VENEZUELA, PEREIRA CITES A CASE WHERE
A UNICEF OFFICER WAS ASKED TO WITHDRAW FROM A MEETING AT MIRAFLORES
AFTER BEING ACCUSED OF PRESENTING SLANDEROUS MISINFORMATION ABOUT
VENEZUELA'S HR RECORD AND WAGING A CAMPAIGN TO BLIGHT VENEZUELA'S
NAME ON THE INTERNATIONAL HR ARENA.

BUILDING BRIDGES TO THE GOV

11. ALL THREE NGO ACTIVISTS CONCUR THAT IMPUNITY AND DOUBLE-TALK
TEND TO DOMINATE THE HR ARENA IN VENEZUELA. NEVERTHELESS, NGO
LEADERS ARE STARTING TO COMMUNICATE DIRECTLY WITH GOV AUTHORITIES.
THE BIGGEST CHALLENGE FACING HUMAN RIGHTS ORGANIZATIONS, THE
ACTIVISTS CLAIMED, IS TO DISPEL THE COMMONLY-HELD MISCONCEPTION
THAT NGO'S FIGHT ON THE SIDE OF THE CRIMINAL AND NOT ON THAT OF THE
INNOCENT VICTIM. HUMAN RIGHTS ORGANIZATIONS MUST NOT ONLY CONTEND
WITH POLICE AND NATIONAL GUARD FORCES, BUT ALSO WITH VIGILANTE
GROUPS.

12. ALL THREE ACTIVISTS URGED THE US TO LOBBY FOR HR ISSUES,
ESPECIALLY JUDICIAL REFORM. THESE ACTIVISTS BELIEVE THAT JUDICIAL
REFORM IS KEY TO IMPROVING THE HUMAN RIGHTS SITUATION IN VENEZUELA.
SUCH REFORM COULD DRAMATICALLY REDUCE THE NUMBER OF PEOPLE HELD IN
PRE-TRIAL DETENTION, REDUCE THE POLICE RELIANCE ON CONFESSIONS--AND
THEREFORE TORTURE--IN BUILDING CASES AGAINST A CRIMINAL, AND, BY
DISPENSING JUSTICE, REDUCE THE RECOURSE TO PRIVATE OR EXTRA-
JUDICIAL MEANS TO EXACT RETRIBUTION.

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COMMENT

13. THE THREE ORGANIZATIONS WHICH PARTICIPATED IN OUR HUMAN RIGHTS ROUNDTABLE PROVIDE AN IMPORTANT EDUCATIONAL AND SUPPORT SERVICE TO VENEZUELA. THEIR WORK IS NOT EASY. BECAUSE SO MUCH OF THEIR EFFORT FOCUSES ON MARGINALIZED PEOPLE, ESPECIALLY SUSPECTED CRIMINALS, THEY RECEIVE LITTLE POPULAR SUPPORT OR COMPREHENSION. THIS IS A REFLECTION OF THE PHYSICAL INSECURITY AND FEAR OF CRIME WHICH PERVADES MUCH OF VENEZUELA, ESPECIALLY CARACAS. NEVERTHELESS, THEY HAVE ACCURATELY IDENTIFIED THE PROBLEM AREAS WHICH MUST BE ADDRESSED IF VENEZUELA IS TO IMPROVE ITS HUMAN RIGHTS SITUATION.
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